IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING
(RULE 53(b)(1))

00909

FOR DESIGN OR UTILITY APPLICATIONS
(DO **NOT** USE FOR CIPs)

Rule 53(b)(1) PATENT APPLICATION:

☒   Continuation   )
) application under 37 CFR 1.53(b)(1)

☐   Divisional   )
of pending prior application of

Group Art Unit: 1631

Inventor(s):   STANLEY, Christopher John

Examiner: J. Lundgren

Parent Appln. No.:   09 | 313,385   Series Code ⇧ | Serial No. ⇧

Atty. Dkt.   PM 275510 | P5642US
New M#   Client Ref

Parent Filed: May 18, 1999
This Appln. Filed: January 17, 2001

Title: USE OF NUCLEIC ACIDS BOUND TO CARRIER MACROMOLECULES

Hon. Commissioner of Patents
Washington, DC 20231

Date: January 17, 2001
(Parent Matter No.   260574   )

Sir:

To effect the above-requested filing today:

1.   **Attached** is a copy (**which must be filed**) of the prior application, including:

     ☒   Abstract
     ☒   Specification and claims (22 pages) (**must be attached**)
     ☒   Drawings (**must** be attached if originally filed): 1 sheet(s)/set: ☒ 1 set informal;
                             ☐ Formal of size   ☐ A4   ☐ 11"

1A.   Always X one box, only:
   (1)   ☒   Copy of Signed declaration or oath as originally filed in prior application **attached**
   (2)   ☐   NO declaration or fee is enclosed; therefore, this is a filing under Rule 53(f).

2.   ☐   This application is hereby filed by less than all of the inventors named in the prior application. Petition is hereby made requesting deletion as inventor(s) of the following who is/are **not** inventor(s) of the invention being claimed in this application (DELETE THE FOLLOWING INVENTOR(S)):

     1. _____   2. _____
     3. _____   4. _____
     5. _____   6. _____
     7. _____   8. _____

2.5   THE INVENTOR(S) FOR THIS NEW APPLICATION IS(ARE):

     1. _____   2. _____
     3. _____   4. _____
     5. _____   6. _____
     7. _____   8. _____

3.   The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated therein by reference thereto.

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301371C9_1.DOC

4.   ☒   Priority is claimed under 35 U.S.C. 119/365 based on filing in __Great Britain__ of
                                                                    (country)

	Application No.	Filing Date		Application No.	Filing Date
(1)	9624165.8	19 November 1996	(2)		
(3)			(4)		
(5)			(6)		

        a. ☐ _____ (No.) Certified copy/copies attached.
        b. ☒ Certified copy/copies previously filed on __November 27, 2000__ in
             U.S. Application No. __09/313,385__, filed on __18 May 1999__.
                    series code ⇧   ⇧ serial no.
        c. ☐ Certified copy/copies filed during International stage of PCT/ ____/____.

4.   (a) ☐ Domestic priority is claimed from ____/____, filed ____.
             PCT/
        (b) ☐ Benefit is claimed of Provisional Application No. 60/_____, filed _____.

5.   ☒   Prior application is assigned to __AMDEX A/S__

by assignment recorded __August 9, 1999__ Reel __010151__ Frame __0752__.
                        (Date)

6.   ☒   Attached is the following number of Assignments (including original and all later successive ones by
        __different__ assignors): __1__ and respective __new__ Cover Sheets. (Do **NOT** file old cover sheets.)

        (Assignments in parent **must be refiled** with new Cover Sheets in this continuing application if you
        want it/them recorded against the continuing application.)

        Please return the recorded Assignment to the undersigned.

7.   ☒   The power of attorney in the prior application is to __G. Lloyd Knight, Reg. No. 17,698__

        (Name and Reg. No.)
        whose current address is as in item 8 below.

        a. ☒ Recognize as associate attorney __Perry E. Van Over, Reg. No. 42,197__

        (Name, Reg. No. and Address)

8.   **Address all future communications to Intellectual Property Group
      of Pillsbury Madison & Sutro LLP, Ninth Floor, East Tower 1100 New York Avenue, N.W.,
      Washington, D.C. 20005-3918**

9.   ☒ **Amend the specification** by inserting before the first line the sentence:—This is a
        ☒ continuation   ☐ division   of Application No. __09/313,385,__ filed __18 May 1999__
                                    series code ⇧   ⇧ serial no.

9.   (a) ☐ **Amend the specification** by inserting before the first line: —This application claims the benefit of
             Provisional Application No. 60/_____, filed _____.—

10.   **Small Entity Status →**   ☒ is **Not** claimed   ☐ is claimed (**pre-filing confirmation required**)

        ___ (No.) Small Entity Statement(s) (**not** essential since 9/8/00) were/are:
        ☐ filed in above prior application
        ☐ attached.

11.   Petition to extend the life of the above prior application to at least the date hereof
(one box)   ☐ is being concurrently filed in that prior application (Use Form PAT-111).
(must be)   ☐ was previously filed in that prior application (Check length of prior extension).
(X'd)   ☒ is not necessary for copendency (**Double check** before X'ing this box).

30137109_1.DOC   PAT-109CN 10/00

12. ☒ **INFORMATION DISCLOSURE STATEMENT:** Attached is Form PTO-1449 listing all of the documents cited by Applicant and the PTO in the parent application(s) relied upon under 35 USC 120 and referenced in item 9 above. Per Rule 98(d) copies of those documents are <u>not required</u> now. Please consider those documents and <u>advise</u> that they have been considered in <u>this new</u> application as by returning a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609. .

13. ☐ Attached is a Rule 103(a) Petition to Suspend Action.

14. ☒ **PRELIMINARY AMENDMENT to be entered before fee calculation:** (Do <u>not</u> make amendments here except for correction of improper multiple dependencies or cancellation of whole claims or multiple dependencies for purpose of reducing the filing fee per MPEP §§ 506 and 607; do <u>not</u> cancel all claims).

In claim 4, line 1 change "any one of Claims 1 to 3" to - -Claim 1- -.
In claims 5 - 8, 12, 15 and 16, line 1, change "any preceding claim" to - - Claim 1- -.
In claim 10, line 1, change "any one of Claims 1 to 7" to - -Claim 1- -.
In claim 19, line 3, change "any one of Claims 1 to 17" to - -Claim 1- -.
In claim 20, lines 3 and 4, change "any one of Claims 1 to 17" to - -Claim 1- -.

FILING FEE
THE FOLLOWING FILING FEE IS BASED ON
->->->->CLAIMS AS FILED AND CHANGED BY PRELIMINARY AMENDMENT IN ITEM 14<-<-<-<-

NOTE: If box 1A2 is X'd, do not pay fees,
but leave lines 15-22 and 27-32 blank.

PTO: PLEASE NOTE CLAIM CANCELLATIONS IF BOX 14 ABOVE IS X'D.

				Large/Small Entity		Fee Code
15. Basic Filing Fee . . . . Design Application				$320/$160		106/26
16. Basic Filing Fee . . . . Utility Application				$710/$355	+710	101/201
17. Total Effective Claims	22	minus 20 =	2	x $18/$9	+36	103/203
18. Independent Claims	3	minus 3 =	0	x $80/$40	+0	102/202
19. If any proper multiple dependent claim (ignore improper) is present.				$270/$135	+0	104/204
20.				Subtotal =	$746	
21. If "petition" box 13 above is X'd, add petition fee. $130					+0	122
21A. If box 6 above is X'd, add Assignment recording fee . . . . $ 40					+40	581

22.   **TOTAL FILING FEE ATTACHED =** $786
(carry forward to Item 31)

23. ☐ ATTACHED:

24. ☐ Preliminary Amendment <u>attached</u> (to be entered <u>after</u> assigning Appln. No.)

25. ☐ The following PRELIMINARY AMENDMENT is to be entered <u>after</u> assigning Appln. No.:

26.   **ADDITIONAL FEE CALCULATION FOR**
                        PRELIMINARY AMENDMENT
                        <u>**PER BOXES 24/25**</u>

Claims remaining after amendment	Highest number previously paid for	Present Extra	Additional Fee

<u>Large/Small Entity</u>   File Code

27. Total Effective Claims __*__   minus ⁓ __20__ = __0__ x $18/$9   = $ __0__   (103/203)

28. Independent Claims __*__   minus *** __3__ = __0__ x $80/$40   =   + __0__   (102/202)

29. If amendment enters proper multiple dependent claim(s) into this application for the
     <u>first time</u>, add (per application) . . . .$270/$135   + __0__   (104/204)

30.   ADDITIONAL FEE $ __0__

31.   <u>plus</u> **FEE** from item 22 on page 3   +

32.   **TOTAL FEE ATTACHED** $ __786__

33. *If the entry in this space is less than a entry in the next space, the "Present Extra" result is "0"

34. ⁓If the "Highest number previously paid for" (see item 17 above) is less than 20, write "20" in this space

35. If the "Highest number previously paid for" (see item 18 above) is less than 3, write "3" in this space

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Our Deposit Account No. 03-3975
Our Order No.   __11765__ | __0275510__
   C# | M#

CHARGE STATEMENT: Upon the filing of a Declaration pursuant to Rule 60(b) or 60(d), the Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (<u>missing or insufficient fee only</u>) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a <u>duplicate</u> copy of this sheet is attached.
This **CHARGE STATEMENT** <u>does</u> **not** <u>authorize</u> charge of the <u>issue fee</u> until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Perry E. Van Over   Reg. No. __42197__

Sig: Fax: (202) 822-0944
Atty./Sec PEV/MJG   Tel: (202) 861-3545
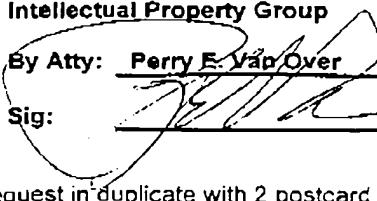
NOTE No. 1: File this Request in <u>duplicate</u> with 2 postcard receipts (PAT-103) & attachments
NOTE No. 2: Is extension in parent necessary for copendency? <u>DOUBLE CHECK</u> Item 11 above.
If yes, printout Pat-111 and head it in <u>parent</u>.